

60.65. UTILITY UNDERGROUNDING [ORD 4118; August 2000]

60.65.05. Purpose. The purposes and objectives of locating existing and proposed private utilities underground are to:

1. Implement the policies, goals, and standards of the City Council and the adopted Comprehensive Plan of the City of Beaverton.
2. Improve aesthetics of the community by reducing the number of utility poles and above ground wires.
3. Provide consistency in management of the City's rights-of-way.
4. Protect essential public services from natural and manmade accidental disruptions.
5. Improve public safety by reducing the possibility for injury from downed lines.
6. Allow fewer fixed obstructions in the public right-of-way.

60.65.10. Authority. The provisions of private utility undergrounding shall pertain to all activities subject to Design Review, Section 40.20, as well as Land Divisions, Section 40.45.

60.65.15. Regulation. All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a collector or arterial roadway.

60.65.15.

2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;
3. The City reserves the right to approve surface mounted facilities;
4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and
5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.
6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.
7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.

60.65.20. Information on plans. The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. Easements for all public and private utility facilities;
2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
3. The proposed relocation of existing above ground utilities to underground; and
4. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.50. of this Code.

60.65.25. Optional Fee In Lieu of the Undergrounding Requirement. If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground. [ORD 4224; August 2002]

Criteria. An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met. [ORD 4224; August 2002]

1. Placement of private utilities underground would conflict with the current City of Beaverton *Engineering Design Manual and Standard Drawings* or the *Clean Water Service's Design and Construction Manual*, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).
3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

60.65.25.3.

Table 60.65.25.3.

	Threshold	<u>Electric</u>	<u>Telephone</u>	<u>Cable Television</u>
A.	500 feet	Tap lines with at least 2 poles	Class 1 (0 to 300 conductors)	Service drops
B.	600 feet	Sub-feeder with at least 3 poles	Class 2 (301 to 600 conductors)	Feeder
C.	800 feet	Feeder with at least 5 poles	Class 3 (601+ conductors or fiber optic)	Trunk or fiber optic

60.65.30. Fees to be Paid In-Lieu of Undergrounding.

1. Applicants subject to the undergrounding in-lieu fee shall pay to the City an amount per linear foot of each private utility that is subject to underground relocation which is not placed underground. The amount of the fee shall be established by the City Council by resolution and shall be based on average costs of undergrounding by the private utility providers.
2. All in-lieu fees paid to the City shall be dedicated to future private utility undergrounding projects in which the City takes part. Any in-lieu fees paid on behalf of a particular property shall not have such property subject to future assessment or other City charge for the same work unless a credit is given for the fee having been paid.
3. By accepting an in-lieu fee, the City is not thereby assuming responsibility for placing overhead private utilities underground. In the event that an in-lieu fee has been paid to the City, the City shall credit all properties as to which the owner has paid in-lieu fees for undergrounding private overhead utilities against any future public assessment(s) or charge(s) in connection with such private utility undergrounding project(s).
4. All in-lieu fees shall be paid prior to the issuance of a Site Development Permit.

SPECIAL REQUIREMENTS

Utility Undergrounding

60.65.35. City to establish priorities. Any funds collected from the in-lieu undergrounding fees may be used by the City to off set the costs of undergrounding any private utilities as part of any project listed in the CIP, subject to the following priorities:

1. Collected in-lieu fees shall be used for private utility undergrounding project(s) that are within 2,500 feet of the site that paid the in-lieu fee.
2. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected and where other public construction project(s), such as road improvements or other utility work have been identified, shall be ranked higher than projects where no in-lieu fees have been collected and no construction projects have been identified for inclusion in the CIP.
3. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected for private utility undergrounding shall be ranked higher in priority than those where no in-lieu fees have been collected.

